Remarks

Claims 1, 2, 7-12, 17-19 and 25 are pending and are under consideration.

No claim is allowed.

Specification

The disclosure is objected to. The Action correctly states that Applicant's remarks of November 28, 2008 expressly state that the ethoxylated alcohol of claim 1 is UNITHOX 420. The Examiner requires that the specification be amended to expressly recite that UNITHOX 420 is the ethoxylated alcohol of formula $CH_3CH_2(CH_2CH_2)_{13}CH_2CH_2(OCH_2CH_2)_xOH$ where x has an average value of 2.5.

The requested correction is now done in present Example 1.

The specification is amended on page 26 (Example 1) to state that the present compound of formula (Ib) is UNITHOX 420. Support is found on page 7, line 7 of the specification.

No new matter is added.

Claim Rejections

Claims 1, 2, 7-12, 17-19 and 25 remain rejected under 35 USC 103(a) as being unpatentable over Mor, et al., U.S. Pat. No. 6,146,757 in view of UNITHOX Ethoxylated Alcohols Technical Release 4022.2 (UNITHOX data sheet).

Applicants respectfully rebut these rejections.

Mor teaches wettable fibers or filaments comprising a thermoplastic polymer having incorporated therein a first wetting agent and a second wetting agent. The polymer is preferably an olefin polymer. The second wetting agent is at least one compound selected from the group

consisting of an alkoxylated fatty alcohol and a polyoxyalkylene modified organosilicone polymer. See col. 5, lines 53-54.

The alkoxylated fatty alcohol of Mor has an alkyl group of from about 8 to about 22 carbon atoms and on average about 1 to about 100 moles of ethylene oxide. The number of moles of ethylene oxide are preferably from about 2 to about 10 moles and most preferably from about 3 to about 6 moles, col. 6, lines 32-39.

The present ethoxylated alcohol compounds contain an alkyl group of 30 carbons. Mor does not teach the present ethoxylated alcohol.

The UNITHOX data sheet is cited as disclosing the present ethoxylated alcohol, specifically UNITHOX 420. The UNITHOX data sheet discloses certain ethoxylated alcohols as lubricants, emulsifiers or dispersants and not as melt addtives for plastics.

Applicants agree the limitations of present claim 1 are met with the combined disclosure of the cited references.

The Examiner states on page 5 of the Action that "It would have been obvious to one of ordinary skill in the wettable polymer fiber art at the time the invention was made to form the wettable polypropylene fiber of Mor, substituting the ethoxylated fatty alcohol of Mor with UNITHOX 420, as taught by Technical Release 4022.0, motivated by the desire of forming a conventional wettable polymer fiber with a commercially available wetting agent suitable for use in textile processing and finishing and processing aids, and such a substitution of an ethoxylated fatty alcohol wetting agent for another ethoxylated fatty alcohol wetting agent yields a predictably resulting wettable polyolefin fiber to one of ordinary skill in the art."

Applicants rebut these rejections on two grounds.

Firstly, Applicants submit that the combined references do not provide any motivation to substitute UNITHOX 420 for an alkoxylated alcohol of Mor. The UNITHOX data sheet describes the ethoxylates as suitable lubricants, emulsifiers or dispersants but not as melt additives for plastics. Mor does disclose that his alkoxylated alcohols are "incorporated" into the thermoplastic fibers. The alkoxylated alcohols of Mor are distinct from those of the data sheet. Applicants submit therefore that

one skilled in the art, when attempting to prepare a suitably wettable polyolefin fiber, would be motivated to employ an alkoxylated alcohol of Mor and not of the UNITHOX data sheet. Mor and the data sheet describe different uses for different alkoxylated alcohols. There is no overlap of the alkoxylated alcohols of the data sheet with those of Mor (by virtue of the carbon chain length).

Secondly, Applicants submit that the performance of UNITHOX 420 as a melt additive to improve the wettability of polyolefin fibers is unexpected and is not predictable.

To support this, two Rule 132 Declarations were submitted during prosecution. The first Gande Declaration was filed October 26, 2006. The second Gande Declaration was filed May 7, 2007.

In the first Declaration, present UNITHOX 420 is compared to UNITHOX 480 and UNITHOX 750, two other ethoxylated alcohols not of the present claims. The sample with an ethoxylated alcohol of the present invention displays a water absorption of 450%. The samples with UNITHOX 480 and 750 display a water absorption of 280% and 150%, respectively.

In the second Declaration, UNITHOX 420 is compared UNITHOX 550, another ethoxylated alcohol not of the present claims. The sample with present UNITHOX 420 displays a liquid absorption capacity of 74%. The sample with UNITHOX 550 has a liquid absorption capacity of 30%.

Thus, results are obtained for UNITHOX 420 compared to three other ethoxylated alcohols not of the present claims. UNITHOX 420 is superior in providing polyolefin fibers with liquid absorption characteristics. The three comparison UNITHOX products were chosen to rebut specific rejections during the course of prosecution.

These outstanding results are unexpected and could not have been predicted based on the cited art.

The present invention represents an important teaching to the public which cannot at all be gleaned from the combination of cited art.

In view of the two Gande Declarations and the above discussion, Applicants submit that the 35 USC 103(a) rejections are addressed and are overcome.

The Examiner is kindly requested to reconsider and to withdraw the present rejections.

Applicants submit that the present claims are in condition for allowance and respectfully request that they be found allowable.

Respectfully submitted,

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